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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,044	11/08/1999	ROB K. CORELL	07844/350001	6076

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REDWOOD CITY, CA 94063

EXAMINER

SINGH, RACHNA

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 12/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/436,044

Applicant(s)

CORELL ET AL.

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to communications: application, filed 11/8/99; amendment filed 9/22/03.
2. Claims 1-34 are pending in the case. Claims 16-17 were cancelled and claims 26-34 have been added. Claims 1, 21, and 26 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 and 18-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fein et al., US Patent 6,088,711, 7/11/00 (filed 7/1/97).

In reference to claims 1 and 21, Fein teaches a method for defining a style of a paragraph based upon the formatting properties of the paragraph. The paragraph has text comprising a plurality of words, which comprise one or more characters. Fein teaches that formatting properties include font size, font face, color, and other properties such as length of words or position of word. See column 3, lines 18-60. Fein's method comprises the following:

- Analyzing different features of the paragraph to determine the paragraph type.
- The features may include features such as length of the paragraph, capitalization of the paragraph, and punctuation of the paragraph. It may further describe the placement of the paragraph in the document. Determining the appropriate style

to define for the paragraph to and applying a style to the paragraph. See column 3, lines 25-60. Compare to ***“partitioning the formatted text into one or more groups of words. . .having a group appearance defined by one or more text properties”***.

- Determining various features of the paragraph to derive the elements that are assigned to the paragraph. Analyzing the font properties to determine characters styles and determining the length and position of the paragraph to determine its layout style. See column 3, lines 18-60 and column 4, lines 1-26. Determining the appropriate style to define the text by analyzing a number of features of the paragraph to determine a functional style. Compare to ***“assigning an element from a predefined set of markup language elements to each of the plurality of groups of words, the assigning being based on the positions of the words, the font properties of the words, or both; deriving an element style comprising a character style, a layout style or both, the character style being derived from the font properties of the characters of the words in the groups of words to which the element is assigned, and the layout style being derived from the text properties of the groups of words to which the element is assigned”***.
- Applying the style to the paragraph to be displayed in an electronic system. See column 13. Compare to ***“creating an electronic document comprising a style sheet defining each of the element styles”***.

While Fein does not state “partitioning the formatted text”, he does teach dividing a document by paragraphs. The paragraphs are then used to determine the major formatting properties of the words in an effort to identify the style of the text. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to partition the document according to font properties of the words (see column 3, lines 35-36 and lines 45-48) OR the positions of words (see column 3, lines 59-61) since it was well known in the art at the time of the invention to partition a document in order to identify the type of the “group of words” (i.e. title, body, subhead, etc). See column 1, lines 42-53 and column 2, lines 1-31.

In reference to claims 2 and 22, Fein teaches analyzing the position of the paragraph on a page according to indentation and its placement in determining what element to assign to the paragraph. See column 3.

In reference to claims 3 and 23, Fein teaches analyzing the font properties of a group of words and assigning an element based on the font properties. See column 3.

In reference to claims 4 and 24, Fein teaches that assigning an element can be based on both font and position properties of the paragraph. See column 3.

In reference to claims 5-7 and 25, Fein teaches creating a specific functional style if the formatting properties of the paragraph do not match other formatting properties used in the document. Furthermore, there is a limited number of styles to define the threshold. See columns 3-4.

In reference to claims 8-9, Although Fein does not specifically state the elements as a set of HTML or XML elements, Fein's system is not limited to any particular markup language. Fein teaches that logical formatting elements allow a document to be "styled". Thus Fein's system could be implemented using HTML or XML.

In reference to claim 10, Fein teaches the use of header and paragraph elements. See column 3.

In reference to claim 11, Fein teaches applying elements to the paragraph according to various features present. These elements could be chosen from amongst address elements, list elements, table elements and so on.

In reference to claims 12-13, Fein teaches character styles comprising font properties such as font style, font face, etc. See column 3.

In reference to claim 14, Fein teaches assigning a text property to the layout style. See column 3.

In reference to claim 15, Fein teaches that the text properties can be that of indentation, alignment and position. See column 3.

In reference to claim 18, Fein teaches considering the indentation or position of a paragraph on a page. See column 3.

In reference to claim 19, Fein teaches applying various styles to the paragraph. Fein's system would not be limited to any particular style sheet including that of XSL. See columns 1-2.

In reference to claim 20, Fein's system is used to provide an electronic document with element tags and style. Thus Fein's system teaches creating an electronic

document which is a markup language version of the source document. See columns 1-3.

Claims 26-29 are rejected under the same rationale used in claims 1 and 21 above.

In reference to claim 30, Fein teaches a predefined style, see column 3, lines 29-31.

In reference to claims 31 and 32, Fein teaches that a character style includes a font property and a layout style can include a text property. See column 3, lines 24-65.

In reference to claim 33, Fein does not teach setting page margins; however, detecting and setting page margins would be useful in determining the style of certain text according to its position thus it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a detect and set margin feature.

In reference to claim 34, Fein teaches applying a style to a paragraph in an electronic system. It was well known in the art at the time of the invention to create an electronic document for presentation with a markup language, thus it would have been obvious to present the source document in a markup language version to be presented to the user.

### ***Response to Arguments***

6. In reference to amended claims 1 and 21, Applicant argues that Fein does not teach the claimed invention. Claims 2-20 and 22-25 are dependent on claims 1 or 21. In reference to Applicant's arguments that Fein does not teach partitioning the text based on the word position and/or font properties; deriving an element style for an

element based on properties of multiple groups of words to which the element is assigned, Examiner respectfully disagrees. While Fein does not state "partitioning the formatted text", he does teach dividing a document by paragraphs. The paragraphs are then used to determine the major formatting properties of the words in an effort to identify the style of the text. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to partition the document according to font properties of the words (see column 3, lines 35-36 and lines 45-48) OR the positions of words (see column 3, lines 59-61) since it was well known in the art at the time of the invention to partition a document in order to identify the type of the "group of words" (i.e. title, body, subhead, etc). See column 1, lines 42-53 and column 2, lines 1-31. Furthermore, Fein teaches determining the appropriate style to define the text by analyzing a number of features of the paragraph to determine a functional style. See column 3, lines 18-60 and column 4, lines 1-26.

In view of the comments and rejections above, Examiner has maintained the rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mason et al. US Patent 5,621,875

Ferrel et al. US Patent 5,860,073

DeRose et al. US Patent 5,983,248



8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 703.305.1952. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 703.305.9792. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

RS  
12/08/03

  
JOSEPH H. FEILD  
PRIMARY EXAMINER